

## **Remarks/Arguments:**

### **Pending Claims**

Claims 1, 3, 7, 9, 11, and 31 have been for nonstatutory double patenting. Applicants respectfully submit that claims 1, 3, 7, 9, 11, and 31, as amended, are patentably distinct from claims 1-3, 5, 8, and 9 of Asada et al. (US 6,674,709) and are not subject to rejection for nonstatutory double patenting for the reasons stated below.

Claim 1, as amended, contains a feature which is not recited by claims 1-3, 5, 8, and 9 of Asada et al., namely:

...at least one surface of the peripheral section of said light reflection element has a spherical or non-spherical curved shape, the spherical or non-spherical curved shape;...

...having a cross-sectional shape in a plane perpendicular to a front surface of the central section of said light reflection element which includes two sections of a single curve with zero inflection points.  
(Emphasis Added)

This feature is shown in Figure 16. Therefore, for the reasons set forth above, claim 1 is not subject to rejection for nonstatutory double patenting. As claims 3, 7, 9, 11, and 31, depend from claim 1, these claims are not subject to the rejection as well.

Claims 1, 3, 9, 11, and 31 have been rejected under 35 USC §102(b) as being anticipated by Noda et al. (US 5,600,621). It is respectfully submitted that claims 1, 3, 7, 9, 11, and 31, as amended, are not subject to rejection as being anticipated by Noda et al. for the reasons set forth below.

Noda et al. disclose an optical head including a laser source (1), a photodetector (27), a transparent flat plate (23) and peripheral reflectors (26) in Figure 6.

The present invention, as recited in claim 33, contains a feature which is neither disclosed, nor suggested by the Noda et al., namely:

...at least one surface of the peripheral section of said light reflection element has a spherical or non-spherical curved shape, the spherical or non-spherical curved shape;...

...having a cross-sectional shape in a plane perpendicular to a front surface of the central section of said light reflection element which includes two sections of a single curve with zero inflection points.  
(Emphasis Added)

This feature, which is illustrated peripheral sections 203 and curve 1600 in Figure 16 of the present application, is distinguished from peripheral reflectors (26) in Noda et al. Figure 17

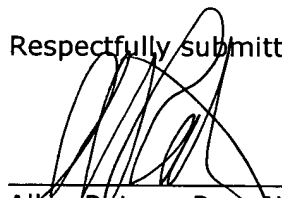
illustrates curve 1704. This curve has drawn to match the two concave peripheral reflectors 1702, which are identical to peripheral reflectors (26) in Figure 6 of Noda et al. As shown in Figure 17, curve 1704 necessarily has two reflection points 1706.

Therefore, for the reasons set forth above, claim 1 is not subject to rejection under 35 USC §102(b) as being anticipated by Noda et al. As claims 3, 9, 11, and 31, depend from claim 1, these claims are not subject to this rejection as well.

#### Conclusion

Based on the foregoing amendment and remarks, Applicants respectfully submit that claims 1, 3, 7, 9, 11, and 31, as amended, are in condition for allowance. Accordingly, reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,



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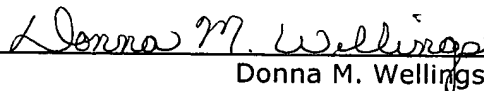
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